

JFW
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 02-728-B (400.120))

In re Application of:

McSwiggen, James A.

Serial No.: 10/607,933

Group Art Unit: 1645

Filed: June 27, 2003

Examiner: Not Assigned

For: RNA Interference Mediated Treatment
Of Alzheimer's Disease Using Short
Interfering Nucleic AcidCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450The PTO did not receive the following
listed items(s) FORS & NPLs

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

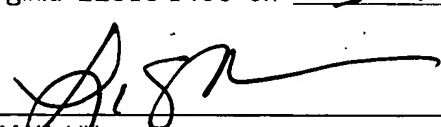
- ☒ Second Supplemental Information Disclosure Statement;
- ☒ Second Supplemental Information Disclosure Statement (IDS) PTO-1449 Form; and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on 5-17-05 2005.

By :


Lisa M.W. Hillman
Reg. No. 43,673McDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE: (312) 913-0002



PATENT

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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

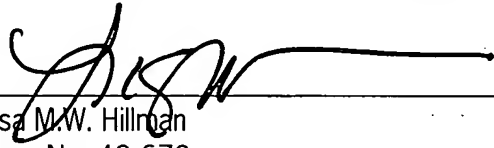
Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date:

5-17-05

2005

By:



Lisa M.W. Hillman
Reg. No. 43,673

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive, 32nd Floor
Chicago, IL 60606
Telephone: 312-913-0001
Facsimile: 312-913-0002

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

02-728-B (400.120)

Serial No.

10/607,933

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**



(Use several sheets if necessary)

Applicant:

McSwiggen et al.

Filing Date:

June 27, 2003

Group:

1645

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	*	5,670,633	09/23/97	Cook et al.			
	*	5,792,847	08/11/98	Buhr et al.			
	*	5,898,031	04/27/99	Crooke			
	*	6,005,087	12/21/99	Cook et al.			
	*	6,107,094	08/22/00	Crooke			
	*	6,476,205	11/05/02	Buhr et al.			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	*	95/09236	04/06/95	WO (Marotta et al.)				
	*	95/32986	12/07/95	WO (Agrawal et al.)				
	*	99/61631	12/02/99	WO (Heifetz et al.)				
	*	00/44895	08/03/00	WO (Kreutzner et al.)				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

02-728-B (400.120)

Serial No.

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**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
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(Use several sheets if necessary)

Applicant:

McSwiggen et al.

Filing Date:

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1645

	*	00/63364	10/26/00	WO (Pachuk et al.)				
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	*	Lin et al., "Policing rogue genes," Nature, 402, 128-129 (1999)
	*	Miller et al., "Targeting Alzheimer's disease genes with RNA interference: an efficient strategy for silencing mutant alleles," <i>Nucleic Acids Research</i> , 32 (2):661-668 (2004)
	*	Partial International Search Report for PCT/US2004/020516 mailed March 2, 2005
	*	Sharp et al., "RNAi and double-strand RNA," Genes & Development, 13:139-141 (1999)
	*	Strauss, Evelyn, "Molecular Biology: Candidate 'Gene Silencers' Found," Molecular Biology, Vol. 286, No. 5441, p. 886 (1999) [sometimes mistakenly referred to as being published in Science]
	*	Waterhouse et al., "Virus resistance and gene silencing in plants can be induced by simultaneous expression of sense and antisense RNA," Proc. Natl. Acad. Sci. USA, 95, 13959-13964 (1998)

EXAMINER

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